

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADJUSTMENT OF RATES OF THE BEREA
COLLEGE WATER UTILITY

)
) CASE NO. 90-052

O R D E R

This matter arising upon the motion of the city of Berea, Kentucky ("Berea") to intervene as a full party in this proceeding, and it appearing to the Commission as follows:

Commission Regulation 807 KAR 5:001, Section 3(8), states that any party seeking intervention in a Commission proceeding "shall submit in writing . . . a request for full intervention, which shall specify his interest in the proceeding." It further states that the Commission shall permit a party to intervene in a proceeding only where that "person has a special interest in the proceeding which is not otherwise adequately represented" or where full intervention by that party "is likely to present issues or to develop facts that [will] assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings."

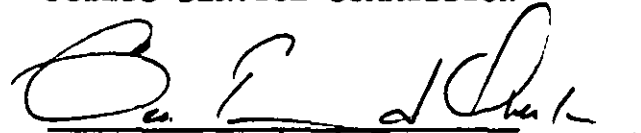
On April 19, 1990, Berea filed a motion for leave to intervene in this proceeding. Attached to its motion was a formal complaint against Berea College Water Utility ("Berea College") which states, inter alia, that Berea College has "filed notice of its application to increase the rates for its electric [sic]

service in the city of Berea and surrounding areas" and that the proposed rates are "unreasonable." After reviewing the entire pleading, the Commission is unable to discern Berea's interest in this proceeding. Berea's motion fails to state that interest. Berea neither identifies itself as a customer of Berea College who may be required to pay higher rates for water service nor as a representative of such customers living within Berea's corporate limits. It also fails to state how its presence will assist the Commission in fully considering the issues presented by Berea College's application. Accordingly, the Commission finds that Berea's motion fails to meet the regulatory prerequisites for full intervention.

IT IS THEREFORE ORDERED that Berea shall have ten days from the date of this Order to amend its motion to conform with Commission Regulation 807 KAR 5:001, Section 3(8). If Berea has failed to file a motion complying with Commission regulations by that date, its motion for leave to intervene shall be denied.

Done at Frankfort, Kentucky, this 3rd day of May, 1990.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director